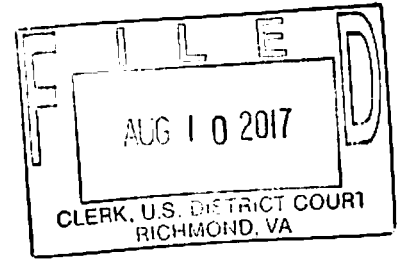


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



YO, f/k/a Mario L. Ballard,

Petitioner,

v.

Civil Action No. **3:16CV366**

HAROLD W. CLARKE,

Respondent.

ORDER

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED

that:

1. Yo's objections (ECF No. 26) are OVERRULED;
2. The Report and Recommendation (ECF No. 25) is ACCEPTED and ADOPTED;
3. The Motion to Dismiss (ECF No. 12) is GRANTED;
4. Yo's Motion for Discovery (ECF No. 19) is DENIED;
5. Yo's § 2254 Petition (ECF No. 1) is DENIED;
6. Yo's claims and the action are DISMISSED; and,
7. A certificate of appealability is DENIED.

Should Yo desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

The Clerk is DIRECTED to send the Memorandum Opinion and Order to Yo and counsel of record.

And it is so ORDERED.

Date: **AUG 10 2017**
Richmond, Virginia

M. Hannah Lauck
United States District Judge